

REPORT OF THE BUSINESS COMMITTEE
PROPOSALS TO CHANGE STANDING ORDERS

Introduction

1. The Business Committee has considered and agreed amendments to the following Standing Orders -

- i. Remitting Bills to Committees (Standing Order 6.6)
- ii. Order of Business (Standing Order 6.12)
- iii. The removal of the requirement for the Assembly to adopt Guidance on Motions and Amendments (Standing Order 6.14)
- iv. Regional Committees (Standing Order 10)
- v. The establishment of a Committee to scrutinise the First Minister
- vi. Proposals made by AMs for Subordinate Legislation (Standing Order 31)

2. The detailed changes are outlined at Annexes A - F.

Recommendation

3. The Business Committee has agreed the proposed amendments and invites the Assembly to approve them.

Business Committee Secretariat
February 2005

Standing Orders 6.6 and 8.19 - Remitting Bills to Committees

On 1st February, the Business Committee agreed revisions to Standing Orders to allow bills to be remitted to, and considered by, committees other than subject committees; and for the Equality of Opportunity Committee, the European and External Affairs Committee and additional committees established under Standing Order 8.1, to hold formal joint meetings with the House of Commons Welsh Affairs Committee.

6.6 (iv) debate with the Secretary of State for Wales on the UK Government's legislative programme. The motion for that debate shall remit bills and proposals for Bills of particular importance to Wales to the relevant ~~Subject~~ Committees for further consideration and report.

8.19A A Subject Committee, the Equality of Opportunity Committee, the European and External Affairs Committee and any additional committee established under Standing Order 8.1 may invite members of the House of Commons Welsh Affairs Committee to attend and participate in its proceedings (but not to vote).

Standing Order 6.12 - Order of Business

On 23rd November, the Business Committee agreed that elections and appointments should be taken as the first item of business. It was agreed to amend Standing Order 6.12 to omit the words "*of officers and members of committees*" and insert the words "*or appointments by the Assembly*" in order to remove the distinction between elections and appointments and allow them to be taken as the first item of business.

6.12 Business shall be taken as necessary in the following order:

(iv) elections ~~of officers and members of committees~~ or appointments by the Assembly.

Standing Order 6.14, 24.18 and new 6.13A

On 16th November, the Business Committee agreed amendments to Standing Orders to allow future revisions to the guidance on motions and amendments to be made by the Presiding Officer after consulting the Business Committee.

6.13A The Presiding Officer, having first consulted the Business Committee, may issue such guidance to Members on motions and on amendments to motions and on amendments to draft Assembly Legislation as he considers appropriate for the proper conduct of the business of the Assembly.

6.14 Except where Standing Orders provide otherwise, amendments may be proposed to any motion, and shall be tabled at least three working days before the motion is to be debated; but the Presiding Officer, ~~having regard to any guidance which the Assembly may adopt~~, may:

- (i) group related amendments and require them to be proposed as a group;
- (ii) determine the order in which amendments which arise in the same place in the motion are taken; and
- (iii) decline to select an amendment where he or she considers that the proper conduct of the business of the Assembly makes it appropriate to do so.

24.18 The Presiding Officer, ~~having regard to any guidance which the Assembly may adopt~~, may:

- (i) group related amendments and require them to be proposed as a group;
- (ii) determine the order in which amendments which arise in the same place in the text of the draft Order are taken; and
- (iii) decline to select an amendment for debate where the Presiding Officer considers that the proper conduct of the business of the Assembly makes it appropriate to do so.

ANNEX D

STANDING ORDER 10 - Regional Committees

At its meeting on 2 November the Business Committee considered a paper on arrangements for Regional Committees and agreed that Regional Committee boundaries would be coterminous with those of the Assembly's electoral

STANDING ORDER 10 - Regional Committees

10.1 There shall be ~~four~~ Regional Committees, each of which shall covering the geographical areas of the one Assembly Electoral Region ~~regional economic forums~~; these are:

- (i) ~~North Wales~~ – Conwy, Denbighshire, Flintshire, Isle of Anglesey, Wrexham and the area of Gwynedd made up of the former districts of Arfon and Dwyfor
- (ii) ~~Mid Wales~~ – Ceredigion and Powys and the area of Gwynedd comprising the former district of Meirionnydd
- (iii) ~~South West Wales~~ – Carmarthenshire, Neath Port Talbot, Pembrokeshire, Swansea
- (iv) ~~South East Wales~~ – Blaenau Gwent, Bridgend, Caerphilly, Cardiff, Merthyr Tydfil, Monmouthshire, Newport, Rhondda Cynon Taff, Torfaen, The Vale of Glamorgan.

10.2 Regional Committees shall advise the Assembly on matters affecting their regions, the effect of Assembly policies in those regions and the work of public bodies there. Each Committee shall meet in its region at least twice in each year. It shall elect its chair and determine its programme of work. At the request of any two of its members, a Regional Committee may resolve to include an item of business on the agenda of a specified future meeting.

10.3 The members of a Regional Committee shall be:

- (i) the Members for each of the Assembly constituencies which are wholly or partly included in the Committee's area; and
- (ii) any of the Members from an Assembly electoral region ~~wholly or partly included in the Committee's area~~ in question who are elected by the Assembly to be members of the Committee.

10.4 The Presiding Officer and the Deputy may be members of the relevant Regional Committees.

Standing Order 18A - Committee for the Scrutiny of the First Minister

On 18th January, 2005, the Business Committee agreed a proposal to amend Standing Orders to establish a Committee to scrutinise the First Minister. The Committee's membership will comprise subject committee Chairs, the Chair of Audit Committee, the Chair of the Equality of Opportunity Committee and the Chair of the European and External Affairs Committee. It will be chaired by the Chair of Audit Committee and will meet in public once every 16 weeks that the Assembly meets in Plenary i.e. twice a year.

Title and terms of reference

18A.1. There shall be a Committee for the Scrutiny of the First Minister.

18A.2. The Committee shall take oral evidence from the First Minister on any matter within Ministers' fields of accountability or other responsibilities (other than the Business Minister's responsibilities for business), and may request additional written evidence from the First Minister on the matters covered by that oral evidence.

Procedure in the committee

18A.3. The provisions of Standing Orders 8.2 to 8.7, 8.17 to 8.19, the last sentence of 8.20, the last sentence of 8.26, and 8.27 to 8.30 shall not apply to the Committee.

Membership

18A.4. The Committee shall consist of the Panel of Members elected under Standing Order 9.3 and the Chairs of the Audit Committee, the Committee on Equality of Opportunity and the Committee on European and External Affairs.

18A.5. A Member who ceases to hold a position mentioned in Standing Order 18A.4 shall cease to be a member of the Committee.

18A.6. The Chair of the Audit Committee shall chair the Committee.

Meetings

18A.7. The Committee shall meet for the purposes of taking oral evidence from the First Minister once in every sixteen weeks that the Assembly meets in plenary.

STANDING ORDER 31 - Proposals made by Assembly Members for Subordinate Legislation

On 19 October the Committee agreed to amend Standing Orders relating to arrangements for Members' proposals for legislation. The amendments will mean that, in the first instance, the Member who wins the ballot will bring forward a motion to approve the principle of his/her proposed legislation. If the initial motion is approved, a Minister will produce a report on the feasibility of the proposals along with a recommendation. A debate on a second motion, on whether legislation should be brought forward to give effect to the proposals, will then be debated in Plenary. The Business Committee has agreed that there should be at least 24 ballots during the course of an Assembly.

31.1 The Presiding Officer shall from time to time hold a ballot to determine the name of a Member, other than a Minister, who may table an initial motion under this Standing Order. The Presiding Officer shall include in the ballot the names of all those Members who have applied to be included, except that no Member who has previously won the ballot in that Assembly may so apply. The successful Member shall table an initial motion within 20 working days of the date of the ballot.

31.2 An initial motion under Standing Order 31.1 shall:-

(i) ask the Assembly to support in principle a proposal for legislation; and

(ii) be accompanied by a statement of the legal powers under which the proposed legislation could be made and an indication of the resource implications of the proposal, together with such other material in amplification of the proposal as the Member making the proposal thinks fit.

31.3 Time shall be made available for the motion to be debated within 40 working days of the date of the ballot (not counting working days in a week when there is no Plenary meeting of the Assembly)

31.4 A proposal for legislation under this Standing Order may be for any legislation which may be made under Standing Orders 24, 25, 27, 28 or 29.

31.5 If an initial motion under Standing Order 31.1 is agreed to, a Minister shall within three months lay before the Assembly a report on the feasibility of the proposal for legislation (such report to include the legal powers under which the proposed legislation could be made; the objectives to be achieved; and an assessment of the implications, including costs and benefits of making the legislation), together with a motion ("the second motion") recommending whether or not the Assembly should proceed with the proposal. In preparing the report, the Minister shall consult with the Member making the proposal and any relevant Assembly Committee.

31.6 If either:-

(i) a second motion recommending that the Assembly should proceed with the proposal for legislation is agreed to; or

(ii) a second motion recommending that the Assembly should not proceed with the proposal is disagreed to.

a Minister shall within six months bring forward legislation to give effect to the proposal; and procedures appropriate under any of Standing Orders 24, 25, 27, 28 or 29 (as the case may be) to the making of that legislation shall be followed.